

BEFORE THE NEBRASKA PUBLIC SERVICE COMMISSION

In the Matter of Cherry County,        ) Application No. 911-023.76  
Public Safety Answering Point,        )  
Valentine, seeking funding            )  
approval for recurring and non-        ) ORDER APPROVING FUNDING  
recurring costs of Enhanced            )  
Wireless 911 implementation.         ) Entered: November 13, 2008

BY THE COMMISSION:

By written request for funding received from Cherry County, received September 10, 2008, seeking funding from the Enhanced Wireless 911 Fund (Fund) for expenses to develop Geographical Information System (GIS) data necessary for the implementation of Phase II wireless enhanced 911.

Cherry County has entered into a contract for services with GeoComm, Inc. (GeoComm) for the development of GIS Data and has provided a copy of the contract with its request for funding.

In the contract, Cherry County authorized the Nebraska Public Service Commission to remit all payments for GIS data development to GeoComm.

Cherry County seeks initial costs of **\$95,803.00** for development of GIS data, cell sector creation and project management services. The Enhanced Wireless 911 Advisory Board considered the request at its October 6, 2008 meeting and recommended its approval.

O P I N I O N       A N D       F I N D I N G S

This request for funding is being processed pursuant to Neb. Rev. Stat. §§ 86-442 to 86-469 (2008), 291 Neb. Admin. Code, Chapter 1, Section 5, Progression Order No. 5 in Commission Docket No. 911-001, entered July 16, 2002 and the October 18, 2005 Adopting Guidelines for GIS Funding in Docket No. 911-011.

Costs requested are eligible under Neb. Rev. Stat. § 86-465 (2008). All costs have been incurred or will be incurred for the development of GIS data which is necessary for the future implementation of Phase II wireless enhanced 911 service.

The Commission finds that payment should be made to GeoComm in the amount of **\$95,803.00** for the non-recurring costs pursuant

to the terms of the contract and subject to any limitations herein.

The Commission and its authorized staff shall have access to all data developed. Additionally, agencies and political subdivisions of the State of Nebraska, to the extent allowed by law and by agreement of the parties, shall have access to data as deemed appropriate by the Commission. The data and all updates shall be provided for inclusion in the centralized GIS data repository.

If the Nebraska Legislature fails to appropriate or authorize the expenditure of sufficient funds to provide for the payment of costs from the Fund for GIS development and maintenance or if a lawful order issued in or for any fiscal year during the term of the contract for services reduces the funds appropriated or authorized in such amounts as to preclude making the payments from the Fund, the Commission will not be responsible for any costs not reimbursed by the Fund.

The Commission reserves the right to modify any amounts approved herein in the future, consistent with the permanent funding mechanism established pursuant to LB 1222 [2006].

O R D E R

IT IS THEREFORE ORDERED by the Nebraska Public Service Commission that the request for funding of Cherry County shall be granted subject to the terms herein.

IT IS FURTHER ORDERED that the Commission shall remit to GeoComm from the Enhanced Wireless 911 Fund **\$95,803.00** for non-recurring costs as described herein.

MADE AND ENTERED at Lincoln, Nebraska this 13<sup>th</sup> day of November, 2008.

NEBRASKA PUBLIC SERVICE COMMISSION

COMMISSIONERS CONCURRING:

Chair

ATTEST:

Deputy Director